

Express Mail: EL521417745US

FORM PTO-1390 (Modified)
(REV 10-95)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

AT: 37 DCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US)

CONCERNING A FILING UNDER 35 U.S.C. 371

DSI-1002/22

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/462950

INTERNATIONAL APPLICATION NO.

PCT/US98/14776

INTERNATIONAL FILING DATE

16 July 1998

PRIORITY DATE CLAIMED

16 July 1997

TITLE OF INVENTION

METHOD FOR ACQUIRING, STORING AND ANALYZING CRYSTAL IMAGES

520 Rec'd PCT/PTO 14 JAN 2000

APPLICANT(S) FOR DO/EO/US

GESTER, Thomas E. et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

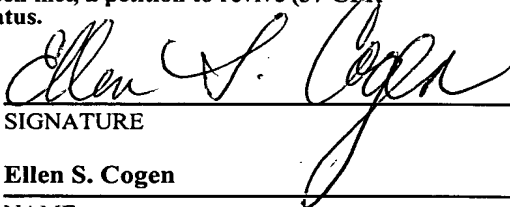
1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 18 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
A **SECOND** or **SUBSEQUENT** preliminary amendment.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☒ Certificate of Mailing by Express Mail
19. ☒ Other items or information:

Article 34 Amendment dated 2/16/99

Article 34 Amendment dated 7/20/99

U.S. APPLICATION NO. (IF KNOWN, SEE 09/462950)		INTERNATIONAL APPLICATION NO. PCT/US98/14776		ATTORNEY'S DOCKET NUMBER DSI-10002/22	
20. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <input type="checkbox"/> Search Report has been prepared by the EPO or JPO \$840.00 <input checked="" type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) \$670.00 <input type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$760.00 <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$96.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$670.00	
Surcharge of \$0.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	9 - 20 =	0	x \$18.00	\$0.00	
Independent claims	1 - 3 =	0	x \$78.00	\$0.00	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$670.00	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input checked="" type="checkbox"/>				\$335.00	
SUBTOTAL =				\$335.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$0.00	
TOTAL NATIONAL FEE =				\$335.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL FEES ENCLOSED =				\$335.00	
				Amount to be: refunded	\$
				charged	\$
<input checked="" type="checkbox"/> A check in the amount of \$335.00 to cover the above fees is enclosed. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 07-1180 A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Ellen S. Cogen Gifford, Krass, Groh, Sprinkle, Anderson & Citkowski, P.C. 280 N. Old Woodward Ave., Ste. 400 Birmingham, MI 48009 (248)647-6000			 SIGNATURE Ellen S. Cogen NAME 38,109 REGISTRATION NUMBER 14 January 2000 DATE		

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
(Small Entity)

Docket No.
DSI-10002/22

In Re Application Of: **GESTER, Thomas E., et al.**

Serial No.

09/462,950

Filing Date

14 January 2000

Examiner

Group Art Unit

Invention: **METHOD FOR ACQUIRING, STORING AND ANALYZING CRYSTAL IMAGES**
TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of 03/06/00 in the above-identified application.
Date

The requested extension is as follows (check time period desired):

☐ One month ☒ Two months ☐ Three months ☐ Four months ☐ Five months

from:

April 6, 2000*Date*

until:

June 6, 2000*Date*

A verified statement of small entity status as a small entity under 37 CFR 1.27:

- ☐ is enclosed.
☒ has already been filed in this application.

The fee for the extension of time is \$190 and is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 07-1180
A duplicate copy of this sheet is enclosed.
☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 07-1180
A duplicate copy of this sheet is enclosed.

Ellen S. Cogen
Signature

Dated:

5/27/00

Ellen S. Cogen, Reg. No. 38,109
Attorney for Applicant
Gifford, Krass, Groh, Sprinkle,
Anderson & Citkowski, P.C.
280 N. Old Woodward Avenue, Suite 400
Birmingham, MI 48009-5394
(248) 647-6000

06/06/2000 PVOLPE 00000083 09/462950
61 FC: 216 140.00 DP

CC:

I certify that this document and fee is being deposited on
with the U.S. Postal Service as first
class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.

Signature of Person Mailing Correspondence
Typed or Printed Name of Person Mailing Correspondence

Attorney Docket No. DSI-10052/04

PATENT COOPERATION TREATY
WORLD INTELLECTUAL PROPERTY ORGANIZATION
INTERNATIONAL BUREAU

Applicant: Diversified Scientific, Inc.
Serial No.: PCT/US98/14776
Filed: 16 July 1998
Title: AUTOMATED CRYSTAL GROWTH EVALUATION SYSTEM

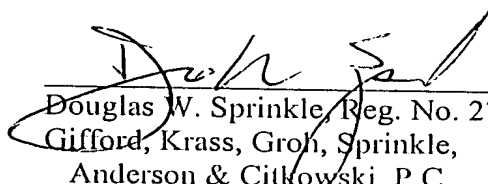
AMENDMENT

International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20
SWITZERLAND

In response to the Notification of Transmittal of the International Search Report or the Declaration and in accordance with Article 19, Applicant submits herewith substitute claim pages for the above-identified application. Original claims 1-5 have been amended and new claims 6-14 have been added.

If the Examiner has any further questions relating to this application, Applicant's attorney may be reached at the number listed below.

Respectfully submitted,

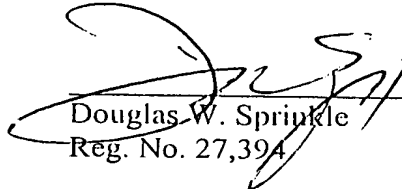

Douglas W. Sprinkle, Reg. No. 27,394
Gifford, Krass, Groh, Sprinkle,
Anderson & Citkowski, P.C.
280 N. Old Woodward Ave., Suite 400
Birmingham, MI 48009-5394
(248) 647-6000

Dated: 12/9/98

DWS/gs

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being sent to the International
Bureau of WIPO via facsimile (011-41-22-740-1435) on 12/10/98



Douglas W. Sprinkle
Reg. No. 27,394

Express Mail #EL278073981US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Diversified Scientific, Inc.

Int'l Application No.: PCT/US98/14776

Filed: 16 July 1998

Title: METHOD FOR ACQUIRING, STORING AND ANALYZING
CRYSTAL IMAGES

STATEMENT UNDER ARTICLE 34

Assistant Commissioner for Patents
Attn: Box PCT
Washington, D.C. 20231

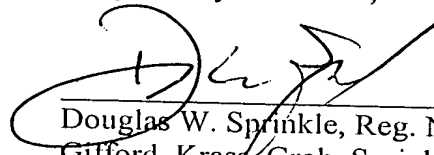
Dear Sir:

Applicant submits that the amendments being made are to further clarify the case.

It is desired to note that the claimed subject matter is novel and can be shown to comprise an inventive step, evidence of which Applicant reserves the right to make of record in due course of the prosecution.

The above amendment does not go beyond the disclosure in the international application as filed.

Respectfully submitted,



Douglas W. Sprinkle, Reg. No. 27,394
Gifford, Krass, Groh, Sprinkle,
Anderson & Citkowski, P.C.
280 N. Old Woodward Ave., Suite 400
Birmingham, MI 48009-5394
(248) 647-6000

Dated: 2/16/99

SLC/gs

Express Mail #EL278073981US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Diversified Scientific, Inc.

Int'l Application No.: PCT/US98/14776

Filed: 16 July 1998

Title: METHOD FOR ACQUIRING, STORING AND ANALYZING
CRYSTAL IMAGES

AMENDMENT UNDER ARTICLE 34

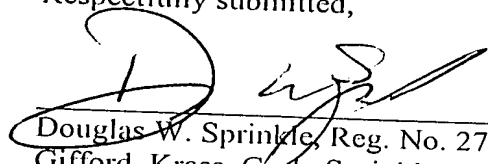
Assistant Commissioner for Patents
Attn: Box PCT
Washington, D.C. 20231

Dear Sir:

Substitute pages 1 and 1A are being submitted. Page 1 has been amended to indicate that the U.S. government has certain rights in the subject invention.

Should be any payment connected to the filing of this document be required, please charge it to Deposit Account No. 07-1180.

Respectfully submitted,


Douglas W. Sprinkle, Reg. No. 27,394
Gifford, Krass, Gosh, Sprinkle,
Anderson & Citkowski, P.C.
280 N. Old Woodward Ave., Suite 400
Birmingham, MI 48009-5394
(248) 647-6000

Dated: 4/16/99

SLC/gs

Attorney Docket No. DSI-10052/22

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Diversified Scientific, Inc.

Int'l Application No.: PCT/US98/14776

Filed: 16 July 1998

Priority Date: 16 July 1997

Title: METHOD FOR ACQUIRING, STORING AND ANALYZING CRYSTAL IMAGES

STATEMENT

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231


Dear Sir:

Applicant submits that the amendments being made are to further clarify the case and the appended claims.

It is desired to note that the claimed subject matter is novel and can be shown to comprise an inventive step, evidence of which Applicant reserves the right to make of record in due course of the prosecution.

The above amendment does not go beyond the disclosure in the international application as filed.

Respectfully submitted,


Ellen S. Cogen, Reg. No. 38,109
Gifford, Krass, Groh, Sprinkle,
Anderson & Citkowski, P.C.
280 N. Old Woodward, Suite 400
Birmingham, MI 48009
(248) 647-6000

Dated: 7/20/99

ANG/gs

09/462950
428 Recd PCT/PTO 14 JAN 2000

The received stamp of the U.S. Receiving Office imprinted hereon hereon acknowledges the filing of:

☐ Transmittal Letter ☐ PCT Request Page(s) _____
☐ Fee Calculation Sheet

____ Page(s) Specifications ____ Page(s) Claims
 ____ Page(s) Abstract ____ Sheets of Drawings
☐ Chapter II Demand ☒ Amendment (Article 34) 6 Page(s)
☐ Invitation to Correct Defects ☐ Power of Attorney ☐ Check

Other:

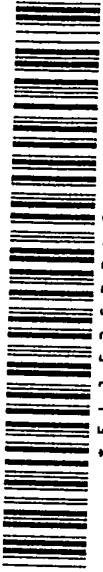
Applicant: Diversified Scientific Inc.
 Serial/Reg. No. PT11598/14776 Atty Docket No. DSI-10052122
 Date: 07/21/99 Date Due: 08/10/99
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ANGJTK		DSI-10052/22 07/21/99		Box PCT			
PRESS HARD.		FOR PICKUP OR TRACKING CALL 1-800-222-1811		WWW.USPS.GOV		USPS	